

RESPONSE TO THE
2004 RECIRCULATED DRAFT
ENVIRONMENTAL IMPACT REPORT
FOR THE
LONG BEACH SPORTS PARK

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Before I comment on the current DEIR for the Sports Park, I have some questions about the previous EIR which was done for this site and rejected as inadequate by the City. As I remember it, that document found a lot of soil contamination and the EIR concentrated on methods of dealing with these toxins. The recirculated DEIR appears to downgrade all possible hazards and claims that the proposed mitigation will solve all health risks to construction workers, the adjacent community and those who will use this facility once it is built. I am especially concerned about the "detected concentrations of the metals beryllium, cadmium and nickel at 1 foot and the metals arsenic, beryllium and cadmium at 10 feet bgs."(pg. 1-46 of the DEIR). As I understand it, up to 40 feet of dirt is to be graded off the top of the cliff and deposited into the gulch. I see no mention of what mitigation will be done if greater amounts of these metals or if new toxins are discovered as a result of the grading.

In 1996, when then City Manager, Jim Hankla, proposed this site for the Sports Complex, I had only driven by the location. Last year I actually walked there and discovered hidden treasures: a wetlands with willows, habitat for many birds, some of which are not found anywhere else in Long Beach, and a heart-stopping view of the city, ocean and surrounding mountains. Although I am a native of Long Beach, I did not know how Spring and Willow Streets got

their names; it was from this site! And the early farming community of Willowville settled here because of the spring and resulting stream. The Tongva people no doubt also used this site, as evidenced by the spring, the willows and the clam shells which can still be found on the top of the hill. What a wonderful site this would be for an educational center to teach the history of Long Beach, from the earliest people through the still-working oil wells! Yes, Long Beach needs more sports fields for our children, but for years the suggestion has been ignored that the schools could provide more than enough grass playing space by tearing up the asphalt.

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The DEIR states that the "City's goal: to develop a 35-40 acre operationally self-sufficient sports park to meet documented demand for adult and youth league sports."

It still has not been proven to my satisfaction that Field of Dreams will be able to attract sufficient paying adult players to actually free up fields for youth. When RecTech proposed to build the Sports Complex in El Dorado Park, they stated that unless they were allowed to sell beer and wine, the project would not be feasible. I cannot find any mention of the cost of this facility, how much the City will provide, what the cost to the teams will be, etc. There is mention of funding from recreational grants, LA Co. Recreational bond. If this is the much-used money from the 1992 County Prop. A bond, that originally was \$6.5 million to be spent on El Dorado Park, (no mention of a sports complex in the ballot), I had understood that the City applied to the County and received permission to use much of that money for Cesar Chavez Park. I would like a clarification of how the money would be acquired and how much that would be.

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I also think the City should do some research on the success/failure record of similar sports parks in the area. How used are they, what is the cost to

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the players, how are they managed and maintained and what are other cities' experiences with them. 4

Although I am concerned about the light, noise, pollution and traffic problems this project will create, my main concerns are the inadequate mitigation measures proposed for the **Biological Resources, Section 4.5**

Biologists from LSA, Micale Maddison and Richard Erikson in Feb. or March of 2004, recorded the following bird species in the EIR:

1. Great Blue Heron
2. Black-crowned night heron
3. Mallard
4. Sharp-shinned hawk
5. Red-tailed hawk
6. American Kestrel
7. Killdeer
8. California Gull
9. Western Gull
10. Rock Dove (sic/ Rock Pigeon)
11. Mourning Dove
12. White-throated Swift
13. Anna's Hummingbird
14. Rufous Hummingbird
15. Allen's Hummingbird
16. Northern Flicker
17. Black Phoebe
18. Ash-throated Flycatcher
19. Loggerhead Shrike
20. Western Scrub-jay
21. American Crow
22. Common Raven
23. Barn Swallow
24. N. Rough-winged Swallow
25. Cliff Swallow
26. Benthic
27. Marsh Wren
28. Ruby-crowned Kinglet
29. Blue-grey Gnatcatcher

30. Northern Mockingbird
31. European Starling
32. Orange-crowned Warbler
33. Nashville Warbler
34. Yellow-rumped Warbler
35. Common Yellowthroat
36. Black-headed Grosbeak
37. Hooded Oriole
38. Western Meadowlark
39. House Finch
40. American Goldfinch
41. House Sparrow

Other Animal Species Observed by the biologists:

BUTTERFLIES

1. Giant Swallowtail
2. Cabbage Butterfly
3. Common White
4. Monarch
5. Gulf Fritillary
6. Red Admiral
7. Painted Lady
8. West Coast Lady
9. Fiery Skipper
10. Pygmy Blue

DRAGONFLIES

1. Pond Damsels
2. Darners
3. Skimmers

REPTILES

1. Western Fence Lizard
2. Side-blotched Lizard
3. Alligator Lizard

AMPHIBIANS

1. Western Toad
2. Pacific Treefrog

In addition to the birds seen by the biologists in the spring, members of El Dorado Audubon Society, (Clarann Levakis, Karen and Tim Morey, and myself) observed 30 White-crowned Sparrows, 4 California Towhees and 10 Western Meadowlarks on Jan. 2, 2005. Great-horned Owls and Barn Owls have also been sighted by Don May, for a total of over 45 species of birds using this site.

Many of the above animals are rare or nonexistent any place else in this City. All of these animals require this special type of habitat, which has a water source, insects, small rodents and reptiles, native plants and trees for nesting and roosting.

The species of greatest concern is the Loggerhead Shrike (also known as The Butcher Bird). These birds are so threatened that according to Kimball Garrett, head of bird collections at the Los Angeles Co. Museum of Natural History, there were only five pairs of nesting Loggerhead Shrikes reported in the whole of Los Angeles County in 2003. And the Spring/Willow street site was one of the locations listed.

The mitigation proposed in the DEIR for these threatened birds, is to plant a "native vegetation area adjacent to the southern boundary of the project site in order to create open habitat with isolated patches of dense shrubs suitable for nesting by the loggerhead shrike. . . . The native vegetation area will be located adjacent to the cemetery, which may provide a suitable area for foraging."

Kimball Garrett also stated that this will not be adequate mitigation for the Shrikes. They do not forage on the type of vegetation found at the cemetery, which is mowed, and likely sprayed with pesticides and weed killers. The construction activity alone will likely drive the Shrikes away, and with so little habitat left, they will probably not survive.

Another concern is: "Grading of the project site will result in the filling of 0.8 acre of riparian habitat in a concrete drainage course and 0.42 acre within the associated retention basin. . . . In addition, virtually all streambeds and associated plant communities are considered sensitive biological resources and are regulated by agencies as described in Sec. 4.5. Therefore, impacts to these areas will require mitigation." (pgs. I-18 and I-19)

Pg. 4.5 12 and 13 also states: "No vernal pools were identified in project boundaries".

It is obvious that this observation was made last year when there was a drought and the vernal pool was dry. However, the endangered Black

Willows are evidence that a pool is there during rainy seasons, such as we have experienced this year. When I was at the site in January, 2005, the water was so deep that it covered the road and we would have needed a boat to get to the willow area.

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It appears there is no universally accepted definition of a “vernal pool”, but most agree that it is a pool that may be dry for a part of the year. **Therefore, I would argue that the area around the stand of willows at the bottom of the gulch is a vernal pool and must not be filled.**

In addition to the vernal pool, there is a 0.08 cattail marsh/wetland and retention basin which the project would grade and fill. **The off-site mitigation adjacent to El Dorado Park Golf Course is totally unacceptable. This will not provide the same type of habitat to the same animals and plants which currently occur here and depend upon this source of water.**

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The DEIR states that no mitigation is needed for removing the many large trees from the site because approximately 700 trees will be planted to replace them, thus the project will not create a significant adverse impact to the “number of trees”. It is not the number of trees, but the size of trees that is important to birds. Many need the tall trees in which to nest; others need the mature, flowering trees for food such as nectar and insects. How many years will it be until the 700 trees can provide food and nesting sites? And what do the birds do in the meantime? **There is nowhere else to go.**

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As in every other recent EIR which I have seen, it is stated that there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or State habitat conservation plan in the City of Long Beach, so no mitigation is required. Once again, I ask, why not? When is the City going to make a plan to protect the little habitat that is left?

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As for the Alternatives, I would like to suggest that another Alternative be added. One that would still provide a recreational use, but of a different kind than playing fields. Like the El Dorado Nature Center, this could be another place where children and adults alike could learn about wetlands, birds and the history of Long Beach, from the first people, the Tongva, to the oil production heyday of the 1920's. There could be walking trails up

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to the highest point in Long Beach with a visitor center with hands-on materials. This would not be a money-making project, but would save millions of dollars in grading, cleanup and traffic control that are needed for the proposed sports park.

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Although I am not convinced that is a need for an adult sports park, if that is what the City wants, I would suggest it be located in the Boeing project, next to the airport.

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Thank you for your consideration.



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LOS CERRITOS WETLANDS LAND TRUST AND FRIENDS OF WILLOW/SPRING GULCH

O-6-1

The comment refers to an earlier environmental document prepared for a similar project but never finalized by the City. An Initial Study was completed for the earlier Draft EIR, and an NOP was issued to agencies and the public in September 1999. A Draft EIR (referred to as "DEIR 2000") was released for circulation and public comment on January 10, 2000, but a Final EIR was never certified. As a result of subsequent site planning refinements and additional site environmental investigations, the City concluded that DEIR 2000 could not be relied upon for CEQA environmental review purposes. As a result, the DEIR 2000 effort was abandoned. Please see Chapter 2.0 of the Draft EIR for more information regarding the history of the project.

The data that was collected for DEIR 2000 environmental site characterization was made available to the team that prepared this current Draft EIR. The current Draft EIR includes a Draft HRA that was prepared to appropriate agency standards and thresholds of significance. The new data collected was done so in accordance with a Sampling Analysis Plan approved by the EPA.

O-6-2

The comment characterizes the project site as "Willow Springs" and provides personal observations of its natural and aesthetic qualities. The comment's contention that the project site was once occupied by the community of Willowville, or in the prehistoric period by Native American (Tongva), cannot be substantiated by existing records. As noted in the Draft EIR (Section 4.6), the project site is located within the broad boundaries of the area occupied by the Gabrielino/Tongva, and there are known Gabrielino sites in Long Beach, particularly along the Los Angeles and San Gabriel Rivers. The presence of surface water may have been an attraction to Native American activity and/or habitation; however, there is no historical or physical evidence to indicate Native American activity or habitation at the project site.

There is no evidence that the shell present on the project site is archaeological in nature. Evidence exists that the shell represents Pleistocene or Holocene shell that is present on site through one of three vectors: excavation into underlying Pleistocene marine sediments exposing marine shell, drilling debris left during oil exploitation on the property, or sediments transported to the site as fill. Evidence supporting the nonarchaeological origin for these sediments includes the presence of very small nonfood gastropods and pelecypods that would not have been gathered or eaten by Native American inhabitants of the area. Therefore, there does not appear to be an actual archaeological site within the project site.

The comment concludes with an opinion that the project site should be used for open space and educational purposes. This comment will be made available for consideration by the decision-makers. Alternatives to the Proposed Project are addressed in Chapter 5 of the Draft EIR.

This comment pertains to the potential cost of implementing the project and the source of funding. Please see Response to Comment O-4-26.

O-6-3

Costs related to implementation and operation of the Proposed Project are not germane to the subject environmental analysis. Effects analyzed under CEQA must be related to a physical change in the environment pursuant to Section 15358(b) of the State CEQA Guidelines. Section 15131(a) of the State CEQA Guidelines further specifies that economic and social effects of a project shall not be treated as significant effects on the environment. No further response to comments regarding costs are warranted. Please see Response to Comment O-4-26.

O-6-4

The comment pertains to the success of other Sports Park. This comment will be made available for consideration by the decision-makers. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein, and no further response is necessary.

O-6-5

The comment summarizes information provided in the Draft EIR with regard to species observed on site. This comment does not contain any substantive statements or questions about the Draft EIR, and no further response is necessary.

O-6-6

The comment provides information regarding additional wildlife observation on site, specifically birds. It is noted that the loggerhead shrikes were not observed by Audubon Society members who commented on the Draft EIR; it is possible that they are no longer present on site, but the list of observed species is not as comprehensive as that provided in the Draft EIR. This comment does not contain any substantive statements or questions about the Draft EIR, and no further response is necessary.

O-6-7

The comment states that many of the absorbed wildlife species are rare or nonexistent any place else in the City. This statement is incorrect. Much of the wildlife that is present on site, including migratory birds, are attracted to the ruderal vegetation and ornamental species that characterize the existing setting of the project site. The Proposed Project includes ornamental landscaping that could be expected to attract the same and similar wildlife species that occur today. In addition, the landscaping in parkways, parks, and private property near the project site and throughout the City would also attract and support the same and similar wildlife species that are currently present on site. The total amount of wildlife that utilizes the site may be reduced due to the higher level of human activity and the change in the character of the vegetation. However, this in itself does not constitute a significant impact because of the common status of this wildlife in the region.

O-6-8

The comment characterizes the loggerhead shrike as threatened. The loggerhead shrike is a CDFG species of special concern and therefore may be considered a sensitive species. A "species of concern" is by definition one that is not listed as threatened or endangered. Species of special concern are taxa with populations that are declining seriously or otherwise highly vulnerable to human developments.

The comment also characterizes the loggerhead shrike as a bird species that is declining in population in Los Angeles County. This information is consistent with information included in the Draft EIR.

O-6-9

The comment states that the proposed on-site mitigation area for the loggerhead shrikes is not sufficient. The Draft EIR concluded that the project's contribution to the cumulative loss of habitat for this species was a significant effect of the project, even with the implementation of mitigation. It is noted that the shrike were not observed during subsequent site visits by the project biologists and by citizens who commented on the Draft EIR and that it is possible that they are no longer present on site.

O-6-10

The comment restates the language in the Draft EIR that identifies impacts to wetlands and the required mitigation. Please see Mitigation Measure 4.5.4 regarding off-site mitigation for wetlands. This comment does not contain any substantive statements or questions about the Draft EIR, and no further response is necessary.

O-6-11

The Draft EIR conclusion that vernal pools are not present included consideration of rainfall conditions. The term "vernal pool" is not appropriate for areas that sometimes or usually pond water on a seasonal basis. Vernal pools are characterized by usually shallow water in a depression that has a substrate that is virtually impermeable to water percolation, such as a clay hardpan or layer of volcanic rock. Vernal pools dry slowly over time due to evaporation. They typically support a suite of plant and invertebrate animal species that are uniquely adapted to these conditions. The pool that the commentor refers to does not support these vernal pool species. Furthermore, the Goodding's black willow that is described in the comment typically does not occur in vernal pools. Also, it should be noted that Goodding's black willow is not an endangered species, as the comment states, but is instead quite common in wet areas of Southern California. Therefore, the EIR conclusion that vernal pools are not present on the site is correct, and no change to the Draft EIR is warranted.

O-6-12

The comment states that off-site mitigation is not acceptable because it will not provide the same type of habitat. The proposed off-site mitigation area is a desirable location for several reasons. The mitigation site is located on the west bank of the San Gabriel River adjacent to El Dorado Park Golf Course and would be supplied with water by runoff from the golf course. Mitigation Measure 4.5.4 states that the proposed mitigation site shall be made part of the Section 404 Permit for the project. The off-site mitigation is to be constructed and maintained by the City, subject to verification by the Director of Planning and Building, in accordance with the mitigation plan approved by the appropriate resource agencies (Corps, CDFG, and RWQCB).

The Proposed Project also includes an on-site stilling basin that will incorporate (per Mitigation Measure 4.5.5) native California wetland species. The planting of native wetland species in the stilling basin is required in addition to the 0.6-acre off-site wetlands mitigation requirement. In addition, the southern boundary of the project site will be planted with a native vegetation area (per Mitigation Measure 4.5.2) to provide potential habitat for the loggerhead shrikes.

The mitigation site is located along the San Gabriel River and will be part of a larger conservation area. Resource agencies typically prefer that mitigation areas be contiguous with other habitat areas and associated with wildlife movement opportunities. In addition, wetland mitigation sites should be associated with a natural or passive water supply such as an adjacent river, stream, lake, marsh, etc.

O-6-13

The loss of some wildlife is acknowledged in the Draft EIR; however, these are common species, and this impact is not considered biologically significant. The comment's assertion that there is no place for the wildlife (particularly birds) after the site is developed is incorrect. As noted in Response to Comment O-6-7, much of the wildlife that is present on site, including migratory birds, are attracted to the ruderal vegetation and ornamental species that characterize the existing setting of the project site. The Proposed Project includes ornamental landscaping that could be expected to attract the same and similar wildlife species that occur today. In addition, existing (mostly mature) landscaping in parkways and private property near the project site and throughout the City would also attract and support the same and similar wildlife species that are currently present on site. Therefore, the comment that birds will have nowhere else to go is incorrect, and no change to the Draft EIR is warranted.

O-6-14

The comment states an opinion that there should be habitat conservation planning in the City. The comment is not specific to the analysis contained in the Draft EIR, and no further response is required. The following is provided for informational purposes: a Habitat Conservation Plan (HCP) is typically prepared for areas where wildlife that is listed as endangered or threatened occur and where those species may be adversely affected by future development. The provisions of HCPs are intended to offset any harmful effects the proposed activity might have on the species. The HCP process allows development to proceed while promoting listed species conservation. A Natural Community Conservation Plan (NCCP) is a similar program of the CDFG. NCCP takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. An NCCP identifies and provides for the regional or areawide protection of natural communities (i.e., plants, animals, and their habitats) while allowing compatible and appropriate economic activity.

O-6-15

The comment proposes an alternative that is similar to the Passive Open Space/Nature Park Alternative evaluated in Chapter 5.0 of the Draft EIR. This alternative was considered but rejected. Please see Chapter 5.0 for more information.

O-6-16

The comment suggests that the Sports Park be located in another area of the City, particularly at the Boeing Douglas Park site. Alternatives to the Proposed Project and alternative locations are addressed in Chapter 5.0 of the Draft EIR. Please see Response to Comment P-1-17 for more information regarding the Boeing Douglas Park Alternative.